



## MARICOPA COUNTY JUSTICE COURTS

If you want to file a...

# **SMALL CLAIMS (Summons, Complaint, and Notice)**



# MARICOPA COUNTY JUSTICE COURTS

In situations where a civil dispute arises, the justice court offers grounds for a lawsuit within its jurisdictional limit. Jurisdiction means the kinds of cases a court has the authority to hear. The Maricopa County Justice Courts have exclusive jurisdiction over all small claims filings within Maricopa County.

In the justice court you may file a **small claims** lawsuit claiming an amount **UP TO AND INCLUDING \$3500.00**. You may also ask for reimbursement of court costs. Court costs include, but are not limited to filing and service fees.

If you wish to file a lawsuit for an amount **over \$3,500.00, but less than \$10,000.00**, you may file a civil lawsuit in the justice court. If you wish to sue for **\$10,000.00 or more**, you must file your lawsuit in the **Superior Court**.

The Small Claims division provides an expedited and less formal means to resolve civil disputes for money damages up to \$3,500.00. Attorney representation is not allowed in small claims, unless both parties agree to the use of attorneys. Small claims cases do not have the right of appeal nor are jury trials allowed. A small claims case will be heard by a small claims hearing officer or the Justice of the Peace.

## Please STOP...

If you are suing for more than \$3,500.00.

If you wish to reserve the right to attorney representation, to a jury trial or to appeal.

If this case:

- Involves a claim of defamation by libel or slander.
- Is an eviction action
- Involves a claim for specific performance.
- Is part of a class action suit
- Seeks injunctive relief
- Is against the State, its political subdivisions or is against its officers or employees, acting in an official capacity.

## Please PROCEED

If you are suing for an amount not to exceed \$3,500.00.

If you are filing within the correct venue (either the defendants residence or where the transaction occurred).

If you DO NOT wish to be represented by an attorney.

If you DO NOT wish to retain the right to appeal or to have jury trial.

## FORMS Needed:

Information for Filing Small Claims handout  
Small Claims Complaint, Summons and Notice  
Evidence of Service by Certified Mail

## INSTRUCTIONS

1. Review the Information for Filing and Defending Small Claims Cases pamphlet.
2. Check the venue for your claim on the court precinct map. You are responsible for filing your case in the correct court.
3. Complete the Complaint, Summons and Notice forms.
4. Make 3 copies of the completed Complaint, Summons and Notice forms if you are filing against one person or a company. Make 4 copies if you are filing against two persons (such as a married couple). Make additional copies as needed for each person you are filing against.
5. If filing by mail provide a self addressed stamped envelope to the Court.
6. File the forms with the court clerk and pay the filing fee.
7. Serve a copy of the Complaint, Summons and Notice on each named defendant.

You may serve the Complaint, Summons and Notice by certified mail, return receipt or by private process server.

All parties must update the Court of change of address or contact information. A Contact Information Update form is available on the Justice Court website.

Visit us at <http://justicecourts.maricopa.gov/> for additional filing information and online forms.



## Maricopa County Justice Courts

### INFORMATION FOR SMALL CLAIMS CASES

This is your case. You have a responsibility to yourself and to the court to acquire a sufficient knowledge to complete the forms properly and to follow your lawsuit to conclusion. There are certain steps you must follow to pursue it properly. This information is provided to assist you in general procedure. You may also want to refer to the Arizona Revised Statutes (ARS) and Justice Court Small Claims Pilot Rules (ARSCP) for additional information. The statutes may be viewed online at <http://www.azleg.state.az.us/ArizonaRevisedStatutes.asp> or may be found at your local library.

**Clerk Duty** The clerks in the Justice Court are not attorneys and cannot give legal advice. The clerks' responsibility is to take your court filing and to provide forms and explain court procedures. It is not the clerks' responsibility to advise you if you have a legal claim. The clerk is not responsible for any error you may make in asserting or defending the claim. The court does not take sides or render an opinion regarding the merits of a claim. **ARS 22-507**

#### **Court Fees**

Fees are payable at the time of the filing. Refer to the Court's posted schedule of fees. **ARS 22-281, 22-522**

**Jurisdictional Limit** The plaintiff may file for any amount not to exceed \$3,500.00. A larger claim may be reduced to \$3,500.00 and any remaining amount waived. A claim may NOT be split by filing two separate actions. The plaintiff may ask for reimbursement of court costs in addition to the \$3,500.00 maximum. Court costs include, but are not limited to filing and service fees. A prevailing defendant may also ask for reimbursement of court costs. **ARS 22-503A**

#### **You may not file in Small Claims if**

The case involves a claim of defamation by libel or slander. The case is for an eviction action. The case involves a claim for specific performance. The case is brought or defended on behalf of a class. The case requests relief by or involves prejudgment remedies. The case is seeking injunctive relief. The case involves traffic violations or criminal matters. The case is against this State, its political subdivisions or is against its officers or employees, acting in an official capacity. **ARS 22-503B**

**Venue** means the proper geographical area (precinct) in which a lawsuit may be filed. You must file the lawsuit where the defendant resides or does business or where the cause of the lawsuit occurred. **ARSCP 11**

**Motion for Change of Venue** A motion for change of venue is one of only two motions allowed in a small claims action. A motion for change of venue for improper venue must be filed 15 days prior to hearing. If a motion is filed alleging that the lawsuit is filed in the wrong precinct and the court orders a change of venue, the case will be transferred to the proper precinct. If you oppose a motion for change of venue you must file an objection in writing within ten days after mailing of the form. **ARSCP 11** Venue may be proper in more than one precinct, however if the original venue is found to be wrong, additional fees may be assessed to the plaintiff. **ARS 12-407**

**Transfer to Regular Civil Division of Justice Court** Either party may transfer a small claims case to the court's civil division up to TEN (10) days before the hearing date. The party requesting the transfer will be assessed filing fees. **ARSCP 12**

**Attorneys** An attorney cannot appear or represent either party in the small claims division unless:

- He/she is representing himself or herself.
- Both parties agree to the use of attorneys and file an Agreement To Use Of Attorneys, a form the court can provide. An agreement to use attorneys must be filed at least 24 hours before the scheduled court date. However, any party has the right to choose to be represented by counsel and may file a request to transfer the case to the civil division of the Justice Court for that purpose. The case will then be transferred to the civil division and appropriate fees charged to the party requesting the transfer.

After entry of judgment, the prevailing party has a right to employ an attorney to pursue available rights and remedies for the purpose of collecting the judgment award. **ARS 22-512B, C,D,E**

**Parties** The statutes governing small claims procedures set forth who may file a small claims action or appear or represent on behalf of such an action. **ARS 22-512A, B**

The plaintiff must be the original owner of a claim and may not sue on an assigned claim. However, after judgment a party may make an assignment of the judgment. **ARS 22-512**

An individual shall represent himself. Either spouse or both may represent a marital community. An active general partner or an authorized full-time employee shall represent a partnership.

A full-time officer or authorized employee shall represent a corporation.

An active member or an authorized full-time employee shall represent an association.

Any other organization or entity shall be represented by one of its active members or authorized full-time employees.

If you are representing a partnership, an association, or any other organization please provide the court with a letter stating your position and authority to represent an action on behalf of the partnership, association or organization.

If you are a full time employee representing a corporation please provide the court with a letter stating your position and authority to represent the corporation. The letter must be signed by a corporate officer.

However, any party has the right to choose to be represented by counsel and may file a request to transfer to the civil division or both parties may stipulate to allow the use of attorneys.

**Complaint** should include short and plain statements that include:

- court jurisdiction (\$3,500.00)
- court venue (XYZ Precinct)
- reason(s) for claim
- demand for judgment

#### **Example**

I am claiming damages against the defendant in the amount of \$3,500.00. (jurisdiction)

The defendant resides in the XYZ Precinct, (or, The lawsuit occurred in the XYZ Precinct). (venue) The defendant owes me money because ... (reason(s) for claim)

Wherefore, the plaintiff requests that the court enter judgment in his favor in the sum of ... (demand for judgment)

**Methods of Service** The plaintiff may serve the complaint, summons and notice by certified mail with a return receipt or by private process server. Service is deemed complete when proof of delivery to defendant is filed with the court.

Each named defendant must be served a copy of the complaint, summons and notice. (To ensure the named party defendant signs the return receipt, restricted delivery should be used).

If the postal service does not enter a date of delivery or the date is not legible, service is deemed complete on the date the return receipt is filed with the court. The plaintiff may file the return receipt (the green card) with the court in person or by first class mail.

If the defendant refuses to accept the mailing, or a person other than the named defendant signs for the registered or certified mailing, then service has NOT been properly accomplished.

If the defendant cannot be served by certified mail return receipt, personal service by a licensed process server must be used.

If the claim is against a corporation, the statutory agent, or an officer of the corporation must be served on behalf of the corporation named in the complaint. You may obtain the name and address of a statutory agent or corporate officer by calling the Arizona Corporation Commission 602-542-3026 or 1-800-345-5819.

You have 20 days to serve the complaint, summons and notice. **ARSCP 7d**

**Service After Appearance** A copy of all pleadings filed with the court must be mailed or delivered to the opposing party.

All parties must update the Court of change of address or contact information. A Contact Information Update form is available on the Justice Court Website: [justicecourts@mcjc.maricopa.gov](mailto:justicecourts@mcjc.maricopa.gov).

**Dismissal** The plaintiff may dismiss the claim at any time prior to defendant filing a counterclaim. Once the defendant has filed a counterclaim, both parties must stipulate to a dismissal (agree in writing). **ARSCP 18**

**Filing an Answer** The defendant may file an answer in writing and pay the answer fee. A filing fee is required. If you are unable to pay a filing fee, an application for waiver/deferral may be filed.

**Filing a Counterclaim** A counterclaim is a claim made by the defendant against the plaintiff. A counterclaim must be filed at least 10 days prior to the hearing. A counterclaim may be filed at the same time the answer is filed. If the defendant files a counterclaim and the amount claimed exceeds \$3,500.00, the court shall transfer the case to the civil division. If the court determines that the amount of the counterclaim in excess of the small claims jurisdiction was filed for the sole purpose of avoiding the small claims proceedings, the court may award the plaintiff court costs, plus reasonable attorney fees for defending the counterclaim. **ARS 22-517, ARSCP 10d**

**Motions** Only two motions are allowed in the small claims division: a Motion for Change of Venue and a Motion to Vacate Judgment (filed after a judgment). **ARS 22-505, ARSCP 11 and 17**

**Hearing Officers** Either a Justice of the Peace or an appointed Volunteer Hearing Officer may hear your case. Any party may object to the use of a hearing officer 15 days prior to the hearing date. The court can provide you with a form to make this objection. The case will then be heard by the Justice of the Peace. **ARS 22-506 ARSCP 14a**

**Setting for Hearing** The hearing will be set for a date within 45 to 60 days after filing of the complaint, summons and notice with the court. **ARSCP 7**

**Request to continue Hearing Date** If for some reason you find that you are unable to appear for hearing on the date and time scheduled, you may file a REQUEST FOR CONTINUANCE with the court, showing good reason why you are unable to appear. The Judge will consider the merits of your request and either grant or deny it. Continuances are granted only for the most serious reasons. The request for continuance must be in writing and should be filed at least 15 days prior to the hearing date. **ARSCP 14b**

**The Hearing** You cannot have your Small Claims case heard before a jury. **ARSCP 1d**

Bring to the trial anything necessary or relevant to establish or defend the claim or counterclaim. Examples: books, papers, bills, pictures of damages, or other exhibits. Both parties may also bring witnesses to testify in their behalf to substantiate your position. You will only be allowed a limited amount of time to present your claim or your defense.

**Appeal** You DO NOT have the right to appeal. The decision of the hearing officer or justice of the peace is final. If you wish to preserve your right to appeal, you may have the case transferred to the civil division of the justice court. You may do this at any time up to ten (10) days before the hearing. **ARSCP 1d and 12**

**If you are awarded judgment** The judgment is valid for five years from the date it is entered, if you chose to renew the judgment, the renewal must be filed within 90 days from the expiration. Refer to the court's handout COLLECTING A MONEY JUDGMENT.

**Motion to Vacate the Judgment** A motion to vacate a judgment is one of only two motions allowed in a small claims action. A motion to vacate judgment can be filed by either party to vacate a default judgment or a judgment of the court following a hearing. The motion must be mailed to the other party.

If you oppose a motion to vacate the judgment you must file a response in writing 15 days.

If the motion to vacate judgment is the defendant's first filing the defendant must pay a filing fee. If you are unable to pay a filing fee, an application for waiver/deferral may be filed. **ARSCP 17**

When paid in full the Judgment creditor must file a SATISFACTION OF JUDGMENT with the court. This form is available from the court. Visit us at [justicecourts.maricopa.gov](http://justicecourts.maricopa.gov) for additional filing information and online forms.



### SMALL CLAIMS CHECKLIST FOR PARTIES

The following checklist may assist you in processing your case. Check off each action as it occurs or has been completed.

PLAINTIFF CHECKLIST	DEFENDANT CHECKLIST
<p>Date COMPLAINT filed and filing fee paid</p> <p>Date COMPLAINT served</p> <p>Serve the complaint upon each defendant. If the defendant refuses to accept the mailing, or a person other than the named defendant signs for the mailing, then service has not been effected. You may try the mailing again or use a process server to effect proper service.</p> <p>Date return receipt or affidavit of service filed with the court _____</p> <p>IF ANSWER IS RECEIVED: Date defendant files an ANSWER _____</p>	<p>If you object to the venue (the precinct in which the complaint was filed) you must file a Motion for Change of Venue for Improper Venue 15 days before the hearing.</p> <p>Date answer filed and filing fee paid</p> <p>Date COUNTERCLAIM filed and copy mailed to plaintiff</p>

### NOTICE TO ALL PARTIES

**It is required that a Voluntary Dismissal** be filed if the case is settled out of court prior to hearing. If a counterclaim has been filed in the case, you must file a **Stipulated Dismissal**.

**A hearing date will be set within 45 to 60 days of the filing of the complaint, summons and notice. Bring all evidence, documents and witnesses you need to present your case or establish your defense to the scheduled hearing.**

**Contact Information Update** All parties are responsible for informing the court of current contact information to ensure that the party can receive all notices from the court.

**Collecting the Judgment award** If you are not able to make arrangements with the losing party to collect your judgment, you may seek a Writ of Execution, a Writ of Garnishment, or an Order for Supplemental Proceedings (debtor's examination). You may ask the court clerk for the necessary form(s).



**Maricopa County Justice Courts**  
**HOW TO DESIGNATE and SERVE A PARTY**  
Refer to JCSCR 2 Parties to a Lawsuit

AN INDIVIDUAL

John Jones  
1234 S. Main Street  
Phoenix, AZ 85040

*SERVE: The party must be served with a copy of the complaint, summons and notice.*

HUSBAND AND WIFE

John and Mary Jones, husband and wife  
1234 S. Main Street  
Phoenix, AZ 85040

*SERVE: Each spouse must be served a copy of the summons and complaint. One spouse may be served with the other spouse's copies if they reside at the same residence.  
Unless served by Certified Mail, Restricted Delivery, each party must receive and sign their own individual green card.*

TWO OR MORE DEFENDANTS

JOHN SMITH  
1234 S. Main Street  
Phoenix, AZ 85040

MARY JONES  
1000 E. First Street  
Phoenix, AZ 85040

*SERVE: Each named defendant must be served a copy of the complaint, summons and notice.*

WHEN THE NAME OF THE DEFENDANT IS UNKNOWN

Matilda DOE  
JOHN DOE Taylor  
XYZ Corporation

SOLE OWNERSHIP

John Jones, Dba  
Jones' Delicious Candy Shoppe  
1234 S. Main Street  
Phoenix, AZ 85040

*SERVE: The Owner*

PARTNERSHIP

JOHN SMITH and JOE JONES, Partners  
Dba JJ's Cafe  
1000 E. First Street  
Phoenix, AZ 85040

*SERVE either:*  
1. A Partner  
2. A Managing or general agent  
3. An Agent authorized by appointment

CORPORATION    LLC COMPANY  
UNINCORPORATED ASSOCIATION

ABC Candy Store, Inc.  
1234 S. Main Street  
Phoenix, AZ 85040

*SERVE: Statutory Agent, as follows:*

John Jones, Statutory Agent  
5678 N. Eezee St.  
Phoenix, AZ 85040

If serving a statutory agent, the statutory agent must also mail a copy to the party on whose behalf the agent received service.

Service may also be effected upon:

1. An Officer of the corporation - President, Vice-President, Secretary, Treasurer
2. A Managing or general agent
3. An Agent authorized by appointment or law

PARENTS OF A MINOR

If the minor is under 16 years of age,  
*SERVE: The Minor and the parent or guardian*

John and Mary Jones, husband and wife  
Parents of Johnny Jones, a minor  
1234 S. Main Street  
Phoenix, AZ 85040

If the minor is 16 years of age or older,  
*SERVE: The Minor*

SERVING THE DIRECTOR OF INSURANCE

*SERVE: The Statutory Agent*

If the statutory agent is the DIRECTOR OF INSURANCE

*SERVE: The DIRECTOR OF INSURANCE*  
2910 N 44th St., Suite 210  
Phoenix, AZ 85018

SERVING THE REGISTRAR OF CONTRACTORS

*SERVE: Registrar's Legal Officer and the Bonding company must be named as a defendant and served.*

## Who Is Authorized To Appear?

Regular Civil	Eviction Actions	Small Claims	Order of Protection or Harassment Injunction
<p>Rules of the Supreme Court; Rule 31</p> <p><b>An Individual</b> (spouse may not represent spouse*) or An attorney</p> <p><b>For a Corporation:</b> Officer of the corporation specifically authorized and having additional duties other than representation. Or An attorney</p> <p><b>For a Partnership</b> Partner appearing in person Or An Attorney</p> <p>* Haberkorn v Sears, Roebuck &amp; Co. (1967) 5 Ariz. App. 397, 427 P2d 378.</p>	<p>Rules of the Supreme Court; Rule 31</p> <p><b>An Individual</b> (spouse may not represent spouse*) An attorney</p> <p><b>For a Corporation:</b> Officer of the corporation specifically authorized and having additional duties other than representation. Or An attorney</p> <p><b>For a Partnership</b> Partner appearing in person Or An Attorney</p>	<p>ARSCP 2</p> <p><b>An Individual</b>  Either Spouse may represent the marital community.</p> <p>Active general partner or authorized full time employee for partnership.</p> <p>Full-time officer or <u>authorized</u> employee for corporation.</p> <p>Active member or <u>authorized</u> full-time employee for association.</p> <p>Any other organization or entity shall be represented by active member or <u>authorized</u> full-time employee.</p> <p>The employee of the association or the management company is specifically <u>authorized</u> in writing by the association to appear on behalf of the association</p> <p><b>Attorneys:</b> May represent self or Appear by Stipulation</p>	<p>ARS13-3602A (OP) ARS12-1809A(HA)</p> <p><b>An individual</b>  An Attorney  Third Party (subject to judicial discretion)</p> <hr/> <p><b>Work Place Injunction</b>  ARS12-1810A</p> <p>Employer  <u>Authorized</u> agent of employer</p>



# Maricopa County Justice Courts, Arizona

CASE NUMBER: \_\_\_\_\_

## SMALL CLAIMS AUTHORIZATION TO REPRESENT

Plaintiff(s) Name / Address / Email / Phone

VS.

Defendant(s) Name / Address / Email / Phone

Please submit to the court a written authorization regarding who is to file and appear in court for you or your organization. The lawsuit will not go forward without the written authorization.

If you are a repeat Plaintiff please attach your authorization with each lawsuit to avoid further notices and delays of your case.

[A.R.S. 22-512A](#) states:

"Any natural person, corporation, partnership, association, marital community or other organization may commence or defend a small claims action, but no \*assignee or other person not a real party to the original transaction..."

*\*A collection agency may not file a small claims lawsuit.*

**Who can represent you in a Small Claims case** (please note that this does not apply to civil cases):

[A.R.S. 22-512B](#) the statute states who can represent a plaintiff or defendant in a small claims action:

1. A person: An individual can represent himself.
2. Married couples: Either spouse or both may represent a marital community.
3. Partnership: An active general partner or an authorized full-time employee can represent a partnership.
4. Corporation: A full-time officer or authorized employee can represent a corporation.
5. Association: An active member or an authorized full-time employee can represent an association.
6. Other organization or entity: Active member or authorized full-time employee
7. HOA: Employee [A.R.S. 22-512C2](#): Appearing on behalf of the association in a small claims action if all of the following apply:
  - (a) The employee of the association or the management company is specifically authorized in writing by the association to appear on behalf of the association.
  - (b) The association is an original party to the small claims action

If you are representing a partnership, an association, or any other organization, please provide the court with a letter stating your position and authority to represent an action on behalf of the partnership, association, or organization. This letter must be signed by someone who has authority to appoint, such as the president of your organization.

If you are representing a corporation, please provide the court with a letter stating your position and authority to represent the corporation. The letter must be signed by a corporate officer.

Other:

**Failure to comply may result in a refusal to permit a person to appear for an entity.**

I CERTIFY that I delivered / mailed a copy of this document to:

☐ Plaintiff at the above address    ☐ Plaintiff's attorney    ☐ Defendant at the above address    ☐ Defendant's attorney

Date: \_\_\_\_\_ By \_\_\_\_\_  
Clerk



# Maricopa County Justice Courts, Arizona

CASE NUMBER: \_\_\_\_\_

## SMALL CLAIMS COMPLAINT

Plaintiff(s) Name / Address / Email / Phone

VS.

Defendant(s) Name / Address / Email / Phone

**WARNING: THERE ARE NO APPEALS IN SMALL CLAIMS CASES.** You do not have the right to appeal the decision of the Hearing Officer or the Justice of the Peace in the Small Claims Division of this court. If you wish to preserve your right to appeal, you may have your case transferred to the Civil Division of this court pursuant to section 22-504, subsection A, Arizona Revised Statutes. If you request such transfer, allow at least ten (10) days prior to the day of the scheduled hearing.

This court has venue over this matter because:

- ☐ Defendant resides in this precinct.
- ☐ The debt, transaction or incident that resulted in this claim occurred in this precinct at the following location:

\$ \_\_\_\_\_ is the total amount owed me by defendant because (please attach additional page(s) if more room is needed):

To the best of my knowledge and belief:

The Defendant ☐ is ☐ is not active duty in the United States Military.

Date \_\_\_\_\_ Plaintiff (signature) \_\_\_\_\_

Please inform court staff if interpreter services are required.

☐ Yes, I need interpreter services. Language: \_\_\_\_\_

**NOTICE: If you are representing a partnership, association or any other organization, provide the court with a letter stating your position and authority to represent this action.**



# Maricopa County Justice Courts, Arizona

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Plaintiff(s) Name / Address / Email / Phone

VS.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant(s) Name / Address / Email / Phone

CASE NUMBER: \_\_\_\_\_

## SMALL CLAIMS SUMMONS

The Statutory Agent / Corporate Officer to be served is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(       )       -       \_\_\_\_\_

1. A Small Claims complaint has been filed against you. A copy of the complaint and other court papers are served on you with this "Summons".

2. **YOU ARE SUMMONED TO APPEAR** at the court named above on the following date and time:

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Courtroom #: \_\_\_\_\_

3. Please arrive 15 minutes before the hearing and check in at the front counter.

4. IF YOU FAIL TO APPEAR, a judgment will likely be entered against you, granting the relief specifically requested in the complaint.

**REQUESTS FOR REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES SHOULD BE MADE TO THE COURT AS SOON AS POSSIBLE.**

Date: \_\_\_\_\_

Justice of the Peace

Please inform court staff if interpreter services are required.

☐ Yes, I need interpreter services. Language: \_\_\_\_\_



**Notice to the Plaintiff and Defendant: A small claims lawsuit has been filed in Justice Court**

**READ THIS NOTICE CAREFULLY**

1. The small claims process is an inexpensive, quick, and informal way to resolve civil disputes up to \$3,500.
2. Persons in a lawsuit are called "parties." There is a "Plaintiff" and a "Defendant." A "Plaintiff" is someone who files a lawsuit against a "Defendant."
3. Individuals represent themselves in a small claims lawsuit. There usually are no attorneys. One spouse may represent both spouses. A full-time corporate officer or authorized employee may represent a corporation; an active general partner or an authorized full-time employee may represent a partnership; an active member or an authorized full-time employee may represent an association; and any other organization may be represented by one of its active members or authorized full-time employees.
4. You do not have a right to an appeal from a small claims judgment. Either party may request a transfer of the lawsuit from the Small Claims Division to the regular Civil Division of the justice court. A transfer will allow parties to:
  - have an attorney;
  - file a counterclaim for more than \$3,500;
  - file motions that are not permitted in small claims lawsuits;
  - request a jury trial; and
  - have the right to appeal.
5. You must properly complete your court papers and file them when they are due. Court staff can only provide information regarding the jurisdiction, venue, pleadings, and procedures of the small claims division.
6. You must follow the Arizona Revised Statutes and Rules of Procedure for Small Claims Cases that apply in your lawsuit. The statutes and rules are available in many public libraries and are also online at the [Arizona State Legislature](#) webpage, and at the [Arizona Judicial Branch Court Rules](#) webpage.
7. Some filings require a filing fee. If either party cannot afford to pay a filing fee, the party can request a fee waiver or deferral from the court.
8. PLAINTIFF: When you file your lawsuit, the court will provide you with a summons and a copy of this notice. A lawsuit cannot proceed without proper service. You must serve these items and a copy of your complaint on the defendant. Methods of service are certified mail, return receipt or private process server. If your case is not concluded within 180 days of filing, the court will dismiss your case unless it finds a good cause.
9. DEFENDANT: You may file a counterclaim if you wish. A defendant who files a counterclaim must mail a copy to the plaintiff and must pay a filing fee.
10. BOTH PARTIES: The hearing date and time are included on the summons. Requests for reasonable accommodations for persons with disabilities should be made to the court as soon as possible. In cases where an interpreter is needed, upon request, one will be provided. Both parties MUST appear at the small claims hearing and provide supporting evidence for their claims and defenses.
11. A justice of the peace or a hearing officer will conduct the hearing. You should be prepared to clearly present your evidence. If you are permitted to appear telephonically, all evidence must be submitted to the court prior to the hearing. **If you fail to appear at a hearing, the court may enter a judgment against you.** To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.
12. PLAINTIFF: You have a responsibility to notify the court if the lawsuit settles before the hearing date.



# Maricopa County Justice Courts, Arizona

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Plaintiff(s) Name / Address / Email / Phone

VS.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant(s) Name / Address / Email / Phone

CASE NUMBER: \_\_\_\_\_

## SMALL CLAIMS EVIDENCE OF SERVICE BY CERTIFIED MAIL

A copy of the Summons, Complaint, and Notice to the Plaintiff and Defendant in this action was served by certified mail and return receipt on the defendant. The defendant's signature is evidence of service.

The date of service is:

☐ \_\_\_\_\_ The date of delivery to, and signature of, the defendant, as shown.

☐ \_\_\_\_\_ The date the return receipt is filed with the court (*because the date of delivery is not entered, or the date entered is illegible*).

Attached is the Return Receipt (green card).

Date: \_\_\_\_\_  
Plaintiff

ATTACH  
GREEN CARD  
HERE



# Maricopa County Justice Courts, Arizona

CASE NUMBER: \_\_\_\_\_

## SMALL CLAIMS JUDGMENT

☐ Amended

Plaintiff(s) Name / Address / Email / Phone

VS.

☐ This matter was heard by the Court on this date: \_\_\_\_\_

☐

☐

☐

☐

Defendant(s) Name / Address / Email / Phone

### Plaintiff Claim

☐ Judgment is entered upon default ☐ with hearing ☐ without hearing

☐ Judgment is entered upon agreement of the parties.

☐ **IT IS ORDERED** granting judgment to:

☐ Plaintiff(s)

\$ \_\_\_\_\_ Amount

\$ \_\_\_\_\_ Accrued interest, if any

\$ \_\_\_\_\_ Court Costs

\$ \_\_\_\_\_ TOTAL

☐ Defendant(s)

\$ \_\_\_\_\_ Amount

\$ \_\_\_\_\_ Accrued interest, if any

\$ \_\_\_\_\_ Court Cost

\$ \_\_\_\_\_ TOTAL

With interest thereon at the rate of \_\_\_\_\_ % per annum from the date of judgment until paid in full.

With interest on court cost of \_\_\_\_\_ % per annum from the date of judgment until paid in full.

☐ **IT IS ORDERED** dismissing this case ☐ with prejudice ☐ without prejudice

### Counterclaim

☐ Judgment is entered upon default ☐ with hearing ☐ without hearing

☐ Judgment is entered upon agreement of the parties.

☐ **IT IS ORDERED** granting judgment to:

☐ Plaintiff(s)

\$ \_\_\_\_\_ Amount

\$ \_\_\_\_\_ Accrued interest, if any

\$ \_\_\_\_\_ Court Costs

\$ \_\_\_\_\_ TOTAL

☐ Defendant(s)

\$ \_\_\_\_\_ Amount

\$ \_\_\_\_\_ Accrued interest, if any

\$ \_\_\_\_\_ Court Cost

\$ \_\_\_\_\_ TOTAL

With interest thereon at the rate of \_\_\_\_\_ % per annum from the date of judgment until paid in full.

With interest on court cost of \_\_\_\_\_ % per annum from the date of judgment until paid in full.

☐ **IT IS ORDERED** dismissing this case ☐ with prejudice ☐ without prejudice

Date: \_\_\_\_\_

☐ Justice of the Peace ☐ Hearing Officer

**Note to Plaintiff:** Upon satisfaction in full, you must file a Satisfaction of Judgment per [A.R.S. 33-964C](#).

I CERTIFY that I delivered / mailed a copy of this document to:

☐ Plaintiff at the above address

☐ Defendant at the above address

Date: \_\_\_\_\_ By \_\_\_\_\_

Clerk



# Maricopa County Justice Courts, Arizona

CASE NUMBER: \_\_\_\_\_

## SMALL CLAIMS CONTACT INFORMATION UPDATE

Plaintiff(s) Name / Address / Email / Phone

VS.

Defendant(s) Name / Address / Email / Phone

**If your address is protected by Court Order, DO NOT use this form**

I am the ☐ Plaintiff ☐ Defendant in this action.

I hereby notify the court and all parties to this action that my address has changed.

My **OLD** address is: *Please Print*

Street \_\_\_\_\_

City, State Zip \_\_\_\_\_

Phone (       )       -      

E-Mail \_\_\_\_\_

My **NEW** address is:

Street \_\_\_\_\_

City, State Zip \_\_\_\_\_

Phone (       )       -      

E-Mail \_\_\_\_\_

Date: \_\_\_\_\_

☐ Plaintiff ☐ Defendant

I CERTIFY that a copy of this document has been or will be mailed on \_\_\_\_\_ to:

☐ Plaintiff at the above address    ☐ Plaintiff's attorney    ☐ Defendant at the above address    ☐ Defendant's attorney

Date: \_\_\_\_\_ By \_\_\_\_\_  
Signature